

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JOHN HANCOCK LIFE INSURANCE
COMPANY, JOHN HANCOCK VARIABLE
LIFE INSURANCE COMPANY, and
MANULIFE INSURANCE COMPANY (f/k/a
INVESTORS PARTNER INSURANCE
COMPANY),

Plaintiffs,

v.

ABBOTT LABORATORIES,

Defendants.

CIVIL ACTION NO. 05-11150-DPW
Hon. Judge Douglas P. Woodlock

**ABBOTT'S MOTION TO IMPOUND THE AFFIDAVIT
OF ERIC J. LORENZINI IN SUPPORT OF MOTION TO COMPEL
HANCOCK TO PRODUCE ARBITRATOR'S OPINION REJECTING TESTIMONY
OF HANCOCK'S DAMAGES EXPERT REGARDING ALLEGED LOST PROFITS**

Pursuant to Local rule 7.2, Defendant Abbott Laboratories ("Abbott") respectfully moves for leave to file the Affidavit of Eric J. Lorenzini in Support of Abbott's Motion to Compel Hancock to Produce Arbitrator's Opinion Rejecting Testimony of Hancock's Damages Expert Regarding Alleged Lost Profits and attached exhibits ("Lorenzini Affidavit") under seal. This motion is narrowly tailored to address only competitively sensitive information regarding Abbott's drug development program. Within five business days, Abbott will file a public version of the Lorenzini Affidavit in which only the exhibits containing confidential information will be redacted.

Abbott respectfully requests that the unredacted version of the Lorenzini Affidavit be impounded until further Order of the Court. In addition, Abbott respectfully requests that the

Court accept the Lorenzini Affidavit provisionally under Seal pending the Court's ruling on this Motion. Upon termination of the impoundment period, Abbott will retrieve and take custody of the unredacted version of the Lorenzini Affidavit.

The grounds for this motion are that the Lorenzini Affidavit contains confidential and competitively sensitive information regarding Abbott's development of various drug compounds and Hancock's investment in such development. Disclosure of the information contained in this document could cause competitive harm to Abbott by providing competitors with proprietary information regarding Abbott's drug development program, as well as its market analysis and business strategies. Hancock does not oppose this motion.

ABBOTT LABORATORIES

By its attorneys

/s/ Michael S. D'Orsi

Michael S. D'Orsi

Peter E. Gelhaar (BBO #188310)

Michael S. D'Orsi (BBO #566960)

DONNELLY, CONROY & GELHAAR LLP

1 Beacon St., 33rd Floor

Boston, Massachusetts 02108

(617) 720-2880

and

Jeffrey I. Weinberger (Admitted Pro Hac Vice)

Gregory D. Phillips (Admitted Pro Hac Vice)

Eric J. Lorenzini (Admitted Pro Hac Vice)

Ozge Guzelsu (Admitted Pro Hac Vice)

MUNGER, TOLLES & OLSON LLP

355 South Grand Avenue, 35th Floor

Los Angeles, CA 90071

(213) 683-9100

Dated: Aug. 1, 2007

LOCAL RULE 7.1 CERTIFICATION

The undersigned hereby certifies that counsel for Abbott Laboratories has conferred with counsel for Plaintiffs in a good faith effort to resolve or narrow the issues in this Motion. Plaintiffs' counsel has confirmed that Plaintiffs do not oppose this motion.

/s/ Michael S. D'Orsi

Date: Aug. 1, 2007

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on August 1, 2007.

Date: Aug. 1, 2007

/s/ Michael S. D'Orsi